



11-12-04

cofc

Our Ref.: 427.010-1-DIV-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of: : Serial No.: 09/612,382
DENNIS BIGG et al :
Patent No.: 6,797,715 B1 :
Issued: September 28, 2004 : Filed: July 7, 2000
For: NEW...CONTAINING THEM :

475 Park Avenue South
New York, N.Y. 10016
November 10, 2004

REQUEST FOR CERTIFICATE OF CORRECTION


Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate
NOV 16 2004
of Correction

Sir:

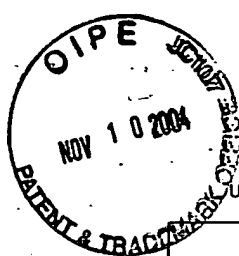
Patentees are submitting herewith a request for a certificate of correction to correct the structural formula in claim 1 which has a methyl in the 3-position which is improper as can be seen from a reading of the claim and from the formula of claim 18, a copy of which is enclosed herewith. There is no substitution in this position in the formula. The claim calls for an unsubstituted or a pharmaceutically acceptable substituted camptothecin with a 7-ring member beta hydroxyl lactone. There was an error in the printing of the same and therefore, no fee is required.

Respectfully submitted,
Muserlian, Lucas and Mercanti


Charles A. Muserlian, 19,683
Attorney for Patentees
Tel.# (212) 661-8000

CAM:ds
Enclosures

2153058369745
NOV 10 2004
"Express Mail" mailing label NO. 11-12-04
I hereby certify that this patent or fee is being submitted with the United States Postal Service, using Mail Post Office to Addressee service, under 27 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
D. Muserlian



PTO/SB/44 (04-04)

Approved for use through 04/3 /200 . OMB 0651-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

(Also Form PTO-1050)

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

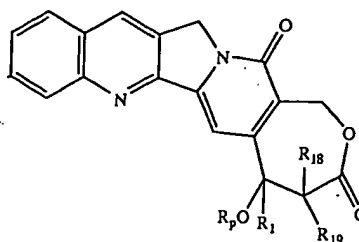
PATENT NO. : 6,797,715 **B1**

DATED : 09/28/04

INVENTOR(S) : DENNIS BIGG et al

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Please replace the formula at the top of column 93, claim 1, with the following formula:

**MAILING ADDRESS OF SENDER:**

Muserlian, Lucas and Mercanti
475 Park Avenue South
New York, N.Y. 10016

PATENT NO. 6,797,715 **B1**

No. of additional copies



This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

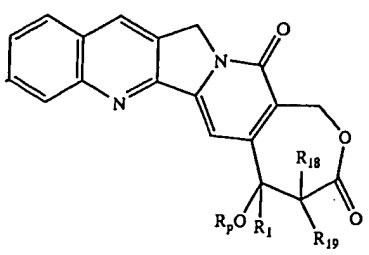


UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 6,797,715 **B1**
DATED : 09/28/04
INVENTOR(S) : DENNIS BIGG et al

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Please replace the formula at the top of column 93, claim 1, with the following formula:



MAILING ADDRESS OF SENDER:

Muserlian, Lucas and Mercanti
475 Park Avenue South
New York, N.Y. 10016

PATENT NO. 6,797,715 **B1**

No. of additional copies



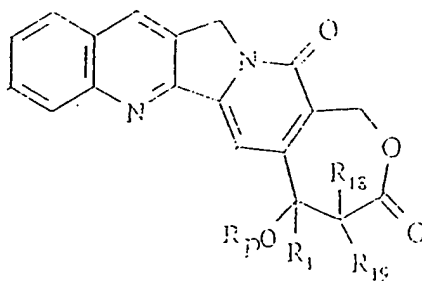
This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

- (+)-1-[9-chloro-5-ethyl-5-hydroxy-10-methyl-3,15-dioxo-4,5,13,15-tetrahydro-1*H*,3*H*-oxepino[3',4':6,7]indolizino[1,2-*b*]quinolin-12-ylmethyl]4-methyl-hexahydropyridine;

or a pharmaceutically acceptable salt of the latter.

18. The method of treating a cancer selected from the group consisting of leukemia, colon cancer, lung cancer, prostate and breast cancer in warm-blooded animals comprising administering to warm-blooded animals in need thereof a unsubstituted or pharmaceutically acceptable substituted camptothecin with a 7-ring member β -hydroxy lactone ring of the formula



wherein R_1 is selected from the group consisting of alkyl of 1 to 6 carbon atoms, alkenyl and alkynyl of 2 to 6 carbon atoms haloalkyl of 1 to 6 carbon atoms, alkoxy alkyl of 2 to 12 carbon atoms and alkylthioalkyl of 2 to 12 carbon atoms. R_p is hydrogen or an easily cleavable group, R_{18} and R_{19} are individually selected from the group consisting of hydrogen, halogen, OH and alkyl and alkoxy of 1 to 6 carbon atoms and its non-toxic, pharmaceutically acceptable salts.